

R E M A R K S

Claims 11-16 are pending in the application.

Claims 11-16 are rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,628,632 to Dolan in view of U.S. Patent No. 6,108,547 to Yamashita. The rejection is respectfully traversed for at least the following reasons.

Claim 11 of the instant application recites in part both transmitting data without renewing identification information, and transmitting data by renewing identification information. In contrast, the relied upon portions of Dolan col. 7, line 62 to col. 8, line 23 does not teach or suggest transmitting data without renewing identification information at a transfer to a second base station.

This was argued previously, and discussed during an interview, now the office action in the “Response to Amendments and Arguments” section, but not in the actual rejection states that the Examiner equates a statement in col. 4, lines 54-60 that if handoff to one base station is not possible, then the base station must choose another to “handoff directly,” with “without renewing the identification information” as recited in the claims. The entire section col. 4, lines 54-60 does not include any indication as to what “handoff directly” actually means, further there is no indication that such a handoff is made without updating the identification information as recited in the claims. It is respectfully submitted that the interpretation provided in the instant office action reads teachings into the phrase “handoff directly,” that simply aren’t supported by a fair reading of the reference. Put simply, there is no teaching in Dolan of a transmitting data without renewing identification information as recited in independent claim 11.

Accordingly, it is submitted that neither Dolan nor Yamashita, whether cited alone or in combination teach or suggest each and every element of independent claims 11. Therefore claim 11 patentably distinguishes over the relied upon portions of Dolan and Yamashita and is allowable. Claims 12-16, which depend from claim 11 are allowable therewith.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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